

May 1, 2020

BY CM/ECF AND EMAIL

Hon. Analisa Torres  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: *Contrarian Capital Management, LLC v. Bolivarian Republic of Venezuela*,  
19 Civ. 11018 (S.D.N.Y.) (rel. Nos. 19 Civ. 3123 & 18 Civ. 11940):  
Status Letter

Dear Judge Torres:

Pursuant to Rule III(C) of the Court's individual practices, the parties respectfully submit this joint letter to propose the following schedule for pre-motion practice and other logistical steps regarding Plaintiffs' anticipated motion for summary judgment and the Republic's anticipated motion to stay.

Pursuant to the Court's April 10, 2020 scheduling order, Dkt. 41, the parties completed fact discovery on April 23, 2020. Pursuant to the Court's April 10 order and instructions at the April 9, 2020 conference, Plaintiffs intend to renew their request to move for summary judgment after the close of fact discovery. *See* Dkt. 42. However, the parties have agreed for Plaintiffs to amend their claims as to certain bonds, thus requiring Plaintiffs to revise their statement of undisputed facts pursuant to Local Rule 56.1. Plaintiffs served that revised statement on Defendant on April 28, 2020. After meeting and conferring, the parties have agreed to the following schedule on which Plaintiff will renew its request to move for summary judgment and the Republic will request to move for a stay:

- May 5, 2020: Defendant serves on Plaintiffs its response to Plaintiffs' Rule 56.1 statement.
- May 7, 2020: Pursuant to the Court's scheduling order, Dkt. 41 at 2, 3, Plaintiffs serve and file their pre-motion letter in support of their renewed request to move for summary judgment, and the Republic serves and files its pre-motion letter in support of its request to move for a stay.
- May 14, 2020: The Republic serves and files its response to Plaintiffs' pre-motion letter in support of Plaintiffs' request to move for summary judgment, and Plaintiffs serve and file their response to the Republic's pre-motion letter in support of its request to move for a stay.

Hon. Analisa Torres

May 1, 2020

Finally, the parties respectfully request a modification of the Court's April 10 scheduling order regarding settlement. Paragraph 9 of that order requires that "[a]ll counsel must meet face-to-face for at least one hour to discuss settlement within fourteen (14) days following the close of fact discovery." Dkt. 41 at 2. However, given the ongoing COVID-19 crisis, counsel are currently unable to meet face to face. Moreover, the parties have been engaging in ongoing, good-faith discussions by telephone and email regarding a potential settlement, making a formal settlement conference unnecessary at this time. Given those circumstances, the parties respectfully request that the Court strike paragraph 9 of its order or, in the alternative, permit the parties to conduct any settlement conference by telephone.

Respectfully submitted,

/s/ Steven F. Molo

Steven F. Molo  
Justin M. Ellis  
Lauren F. Dayton  
MOLOLAMKEN LLP  
430 Park Avenue  
New York, NY 10022  
Tel: (212) 607-8160  
Fax: (212) 607-8161  
smolo@mololamken.com

*Counsel for Plaintiffs*

/s/ Joseph E. Neuhaus

Joseph E. Neuhaus  
Sergio J. Galvis  
James L. Bromley  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, NY 10004  
Tel: (212) 558-4000  
Fax: (212) 558-3588  
neuhausj@sullcrom.com

Angela N. Ellis  
1700 New York Avenue, N.W. Suite 700  
Washington, D.C. 20006-5215  
Tel: (202) 956-7500  
Fax: (202) 293-6330

*Counsel for Defendant*